



Docket No. A-33513/US/3/AMP

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor	: Ronald J. GRAHAM, et al.	
Appln. No.	: 10/659,529	
Confirmation No.	: 4786	
Filed	: September 9, 2003	Group Art Unit: To be Assigned
Title	: FLUORESCENT ENZYME ASSAY METHODS AND COMPOSITIONS	Examiner: To be Assigned

**DECLARATION FOR UTILITY PATENT APPLICATION**  
(37 C.F.R. § 1.63)

As a below named inventor, I hereby declare that my mailing address and citizenship are as stated below.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FLUORESCENT ENZYME ASSAY METHODS AND COMPOSITIONS

the specification of which:

☐ is attached hereto OR

☒ was filed on September 9, 2003 as United States Application Number 10/659,529 or PCT International Application Number \_\_\_\_\_ and amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information known to me that is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/409,178	09/09/2002
60/486,393	07/10/2003

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

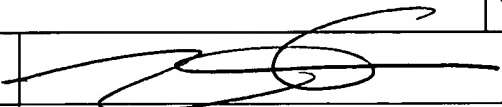
\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

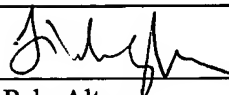
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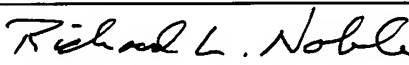
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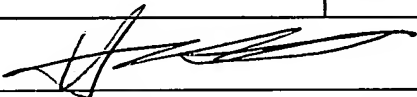
Name	Ann M. Caviani Pease
Address	DORSEY & WHITNEY LLP Four Embarcadero Center Suite 3400 San Francisco, California 94111-4187
Telephone	(415) 494-8700
Fax	(415) 494-8771

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Sole or First Inventor:</b>			
Given Name (First and middle)		Family Name or Surname	
Ronald J.		GRAHAM	
Inventor's Signature			Date: May 2, 2004
Residence	San Ramon CA 94583	Citizenship: Canadian	
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<b>Second Inventor:</b>		
<i>Given Name (First and middle)</i>		<i>Family Name or Surname</i>
Linda G.		LEE
<i>Inventor's Signature</i>		<i>Date:</i> Mar 03, 04
<i>Residence</i>	Palo Alto CA 94306	<i>Citizenship:</i> US
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<i>Post Office Address</i>	2680 Ramona Street, Palo Alto, CA 94306	

<b>Third Inventor:</b>		
<i>Given Name (First and middle)</i>		<i>Family Name or Surname</i>
Richard L.		NOBLE
<i>Inventor's Signature</i>		<i>Date:</i> 3-2-04
<i>Residence</i>	Foster City CA 94404	<i>Citizenship:</i> US
	<i>City State Zip</i>	
<i>Post Office Address</i>	1091-C Foster City Blvd., Foster City, CA 94404	

<b>Fourth Inventor:</b>		
<i>Given Name (First and middle)</i>		<i>Family Name or Surname</i>
Hongye		SUN
<i>Inventor's Signature</i>		<i>Date:</i> 3-3-04
<i>Residence</i>	San Mateo CA 94404	<i>Citizenship:</i> Peoples Republic of China
	<i>City State Zip</i>	
<i>Post Office Address</i>	425 Anchor Road, #104, San Mateo, CA 94404	

**POWER OF ATTORNEY BY ASSIGNEE AND CERTIFICATION UNDER 37 CFR 3.73(b)**

The undersigned assignee of the entire interest for letters patent with assigned patent application entitled "*FLUORESCENT ENZYME ASSAY METHODS AND COMPOSITIONS*" and having the named inventors: Ronald J. Graham, Linda G. Lee, Richard L. Noble, and Hongye Sun, hereby appoints, both jointly and severally, the DORSEY & WHITNEY LLP attorneys and agents associated with Customer Number 32940 as its attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 3.71; provided that if any one of said attorneys ceases being affiliated with the law firm of DORSEY & WHITNEY LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived there from shall terminate on the date such attorney ceases being so affiliated.

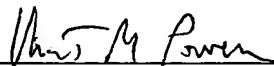
In accordance with 37 CFR 3.73(b), the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, the assignee is the owner of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above, a copy of which is attached hereto. The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Direct all telephone calls to Ann M. Caviani Pease at (650) 494-8700.

Address all correspondence to:

DORSEY & WHITNEY LLP  
Suite 3400, Four Embarcadero Center  
San Francisco, California 94111-4187

Date: March 3, 2004

Signature: 

By: Vincent M. Powers  
(print name)

Title: Senior Patent Attorney

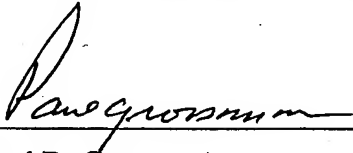
Assignee: APPLERA CORPORATION

Address: 850 Lincoln Centre Drive  
Foster City, CA 94404

**LIMITED AUTHORIZATION TO ACT ON BEHALF OF ASSIGNEE  
REGARDING CERTAIN PATENT AND TRADEMARK MATTERS EFFECTIVE  
THROUGH: December 31, 2005**

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I, Paul D. Grossman, as Assistant Secretary of Applera Corporation ("Applera"), hereby authorize: Vincent M. Powers, Reg. No. 36, 246, Scott R. Bortner, Reg. No. 34,298, Jeffery D. Frazier, Reg. No. 34,601, and Andrew T. Karnakis, Reg. No. 27,909, all Senior Patent Attorneys, (1) to act on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark entities, (2) to execute power of attorney documents on behalf of Applera, to appoint and/ or establish any attorneys, agents, and/ or law firms to act on behalf of Applera, in any foreign or international patent or trademark applications filed with any foreign and/ or international patent or trademark offices, and (3) to execute assignment and ownership documents on behalf of Applera, with regard to any matters before the United States Patent and Trademark Office, any foreign patent or trademark offices, and any international patent or trademark offices.



Paul D. Grossman  
Assistant Secretary, Applera Corporation

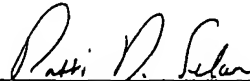
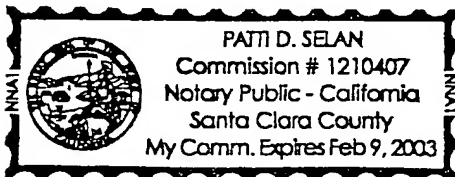
1-9-03

Date

State of California     )  
  ) ss.  
County of San Mateo    )

On Jan. 9, 2003 before me, Patti D. Selan, Notary Public, personally appeared Paul D. Grossman, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(~~ies~~), and that by his/~~her~~/their signature on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

WITNESS my hand and official seal.



Notary Public